IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 20547 of 2004

Between:

Smt. Dasari Govindamma, W/o M. Satyanarayana,
r/o Dwarapudi,Mandapeta Mandal, E.G. District.

..... PETITIONER

AND

1 Assistant Engineer, P.W.D. Biccavole, E.G. District.
2 Mandal Revenue Officer, Mandapeta, Mandapeta Mandal, E.G. District.
3 Gram Panchayat, Dwarapudi, rep. by its Sarpanch,
Dwarapudi, E.G. District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, directing the respondents, their men or any one claiming through them in any manner, not to cause removal of the petitioner's concrete constructed shop bearing Door No. 10-198/10 situate on the left berm of Samalkota Canal in Dwarapudi village, Mandapeta Mandal, East Godavari District.

Counsel for the Petitioner:MR.MAILARAM GIRI

Counsel for the Respondents 1 and 2 : GP FOR REVENUE

Counsel for the Respondent No.3:MR. D.SRINIVAS

The Court, at the stage of admission, made the following :

ORDER:

The only grievance of the petitioner is that the respondents, without putting him on notice, are trying to remove the constructed shop bearing Door No.10-198/10, situated on the left berm of Samalkota Canal in Dwarapudi village, Mandapeta Mandal, East Godavari District, wherein he is doing soda and pan business and eking out his livelihood.

The respondents are bound to issue notice to the petitioner, if they want to remove such encroachment. Without following the due procedure prescribed under law, the respondents shall not dispossess the petitioner from the premises in question.

Subject to the above observation, the writ petition is disposed of. No order as to costs.

09-11-2004

GJ

To

1 Assistant Engineer, P.W.D. Biccavole, E.G. District.
2 Mandal Revenue Officer, Mandapeta, Mandapeta Mandal, E.G. District.
3 Gram Panchayat, Dwarapudi, rep. by its Sarpanch,
Dwarapudi, E.G. District.

4. Two C.Cs. to the Government Pleader for Revenue, High Court of A.P., Hyderabad.(OUT)

5. Two C.D. copies.